

## **RESOLUTION NO. 2005-07**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, ESTABLISHING THE NECESSITY AND PUBLIC PURPOSE FOR PERMANENT SEWER UTILITY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR PURPOSES OF CONSTRUCTING, INSTALLING, BUILDING, OPERATING, AND MAINTAINING SEWER UTILITIES TO SERVE THE KACHINA SUBDIVISION AND ARROYO SECO TOWNHOUSE AREAS, AND FURTHER APPROVING THE COMMENCEMENT OF CONDEMNATION PROCEEDINGS FOR ACQUISITION OF SUCH EASEMENTS.**

WHEREAS, in order to proceed with extensions of the City sewer utility easements, the public necessity, safety, and general welfare require the acquisition of temporary construction easements and permanent sewer utility easements in, on, under, through, and over private property for purposes of constructing, installing, operating, and maintaining such sewer utilities as are necessary for the Kachina Subdivision and Arroyo Seco Townhouse areas; and

WHEREAS, if said easements cannot be obtained through informal negotiations with private property owners, the commencement of condemnation proceedings will be necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA THAT:

The public necessity, safety, and general welfare require the acquisition of temporary construction easements and permanent sewer utility easements in, on, under, through, and over private property. Said easements are necessary to serve the public purposes of constructing, installing, operating, and maintaining sewer utilities as are necessary for the Kachina Subdivision and Arroyo Seco Townhouse areas.

If, in the discretion of the City Engineer, the necessary sewer utility and construction easements cannot be obtained by way of informal negotiations, the City Council hereby approves and authorizes the commencement of formal condemnation actions to acquire temporary and permanent easements pursuant to the engineering plans now in effect or which may be in effect in the future.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona  
this 8<sup>th</sup> day of March, 2005.

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Mayor

Attest:

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City Clerk

Approved as to Form:

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City Attorney